

Message Text

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ACTION DPW-01

INFO OCT-01 EUR-25 EA-11 IO-14 ISO-00 AF-10 ARA-16 NEA-10

RSC-01 OIC-04 CIAE-00 PM-07 H-03 INR-10 L-03 NSAE-00

NSC-10 PA-04 PRS-01 SPC-03 SS-20 USIA-15 SAM-01

ACDA-19 ABMC-01 DRC-01 /191 W
----- 032371

R 251935Z FEB 74

FM USMISSION GENEVA

TO RUEHCSECSTATE WASHDC 4262

SECDEF WASHDC

AMEMBASSY SAIGON

INFO AMEMBASSY BONN

AMEMBASSY CANBERRA

AMEMBASSY LONDON

AMEMBASSY OTTAWA

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY WELLINGTON

C O N F I D E N T I A L GENEVA 1239

FOR: STATE D/PW-SIEVERTS

DOD OSD/ISA-SHIELDS

E.O. 11652: GDS

TAGS: PARM, ICRC

SUBJECT: LAW OF WAR CONFERENCE: US PROPOSAL ON NEW ARTICLE
ON MISSING AND DEAD

1. WHILE COORDINATING US PROPOSAL FOR NEW ARTICLE ON MISSING AND
DEAD WITH UK DELEGATION, DELOFF WAS INFORMED THAT UK DELEGATION
INTENDS TO SUBMIT TO WEO WORKING GROUP A SIMILAR PROPOSAL WHICH
WOULD, HOWEVER, INCLUDE A PROVISION OBLIGATING PARTIES IN WHOSE
TERRITORY GRAVES ARE LOCATED AFTER CESSATION OF ACTIVE HOSTILITIES
TO:

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A. FACILITATE, UPON REQUEST, THE RETURN OF REMAINS AND PERSONAL

EFFECTS OF DECEASED.

B. PERMIT ACCESS TO SUCH GRAVES OR OTHER DISPOSITIONS BY REPRESENTATIVES OF OFFICIAL WAR GRAVES ORGANIZATIONS OF STATE CONCERNED AND BY THE RELATIVES OF SUCH DECEASED.

C. ENDEAVOR TO ENTER INTO BILATERAL AGREEMENTS WITH THE STATES UPON WHOM SUCH DECEASED DEPEND, REGARDING PERMANENT ARRANGEMENTS FOR THE PROPER MAINTENANCE OF SUCH GRAVES AND OTHER DISPOSITIONS.

2. AS AN ALTERNATIVE TO 1.B., UK INDICATED THAT PROVISION FOR ACCESS TO GRAVES MAY BE SUBJECT TO BILATERAL AGREEMENTS.

3. BASIS FOR UK SUBMISSION WAS RECOMMENDATION OF COMMONWEALTH HIGH COMMISSIONS AND PAKISTAN AND SOUTH AFRICA EMBASSIES, LONDON. IT IS UNDERSTANDING OF CWGC THAT FRG DELEGATION, AT INSTIGATION OF GERMAN WAR GRAVES COMMISSION, MAY PROPOSE DISCUSSION OF ARTICLE 17 OF FIRST GENEVA CONVENTION. CWGC BELIEVES GERMAN CONCERN IS PRIMARILY IN RELATION TO THEIR GRAVES IN EASTERN EUROPEAN COUNTRIES FOR WHICH THEY HAVE NOT BEEN ABLE TO MAKE MAINTENANCE ARRANGEMENTS, AND THAT FRENCH AND ITALIAN DELEGATION MAY SUPPORT FRG INITIATIVE.

4. US DELEGATION UNDERSTANDS THAT ACCESS TO GRAVE SITES PROVISIONS MAY CAUSE CONCERN TO GVN IN VIEW OF EXPERIENCE WITH 1954 AND 1973 CEASEFIRE ACCESS TO GRAVES PROVISIONS WHICH HANOI ATTEMPTED EXPLOIT FOR INFILTRATION OF AGENTS. ACCORDINGLY, AT DELOFF REQUEST, UK AGREED TO WITHHOLD PROPOSAL UNTIL WASHINGTON AND SAIGON VIEWS OBTAINED. UK DEL WILL, HOWEVER, INFORM COMMONWEALTH DELEGATIONS OF THIS DEVELOPMENT.

5. TEXT OF UK DRAFT PROPOSAL AND TEXT OF CWGC MEMORANDUM WILL BE TRANSMITTED BY AIRGRAM.

6. FOR SAIGON: REQUEST YOU OBTAIN GVN VIEWS ASAP. WOULD THEY BE SATISFIED WITH AN ENDEAVOR TO INCLUDE PROVISION FOR BILATERAL AGREEMENTS AUTHORIZING ACCESS TO GRAVES?

7. REQUEST WASHINGTON ADDRESSEES INFORM US BATTLE MONUMENTS COMMISSION AND PROVIDE GUIDANCE BY 8 MARCH 74. US DEL WILL TRY
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TO DEFER CONSIDERATION OF ITS MISSING AND DEAD PROPOSAL UNTIL FRANK SIEVERTS IS IN GENEVA ON OR ABOUT 13 MARCH. DALE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW, WAR, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 25 FEB 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974GENEVA01239
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: n/a
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740212/aaaaakuo.tel
Line Count: 109
Locator: TEXT ON-LINE
Office: ACTION DPW
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 12 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <12 APR 2002 by ifshinsr>; APPROVED <16 JUL 2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: LAW OF WAR CONFERENCE: US PROPOSAL ON NEW ARTICLE ON MISSING AND DEAD
TAGS: PARM, ICRC
To: SAIGON
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005